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*Counsel for Plaintiffs in No. 06-2254 (RMW)*

*Counsel for Defendant Hewlett-Packard Company  
in Nos. 06-1221 (RS) and 06-2254 (RMW)*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

\*E-FILED - 12/12/07\*

Michael Brothers *et al*, on behalf of themselves  
and all others similarly situated,

Case No. 06-2254 (RMW)

**Plaintiffs.**

v.

Hewlett-Packard Company.

**Defendant:**

**STIPULATION AND XXXXXXXXXX ORDER  
re. CONSOLIDATION & REASSIGNMENT  
FOR SETTLEMENT PURPOSES**

Date: October 26, 2007

Time: 9:00 a.m.

Before: The Honorable Ronald M. Whyte

In re Hewlett-Packard Co. Power Plug Litigation

Case No. 06-1221 (RS)

WHEREAS the parties and their counsel in each of the above-captioned two cases, *In re Hewlett-Packard Co. Power Plug Litig.*, No. 06-1221 (RS) (the "Power Plug Lawsuit") and *Brothers et al. v.*

1 *Hewlett-Packard Co.*, No. 06-2254 (RMW) (the "Brothers Lawsuit"), have entered into a Stipulation of  
2 Settlement detailing a proposed settlement (the "Settlement") that covers both cases; and

3 WHEREAS the Power Plug Lawsuit and the Brothers Lawsuit are pending before two different  
4 judges; and

5 WHEREAS it would enhance judicial efficiency if all proceedings pertaining to the Settlement  
6 were to occur under the auspices of a single judge;

7 THEREFORE, the parties to the Power Plug Lawsuit and the Brothers Lawsuit stipulate as follows  
8 and request that the Courts enter the subjoined order:

9 1. For purposes of approving and effectuating the Settlement only, the Power Plug Lawsuit  
10 and Brothers Lawsuit are consolidated pursuant to Local Civil Rule 3-12(a). The case so consolidated is  
11 assigned to Judge Whyte and shall bear the following caption and case number:

13 In re: HP Power Plug and  
14 Graphic Card Litigation

Case No. 06-2254 (RMW)

16 2. All papers to be filed and all proceedings to be had relating to the Settlement shall be  
17 under this caption and case number.

18 3. In the event the Stipulation of Settlement is terminated pursuant to its terms, or the  
19 Effective Date<sup>1</sup> for any reason does not occur, the subjoined order consolidating the Power Plug Lawsuit  
20 and the Brothers Lawsuit shall be automatically vacated upon notice of the same to the Court, and both  
21 cases will proceed independently before Judges Seeborg and Whyte, respectively, and will return to the  
22 procedural status quo that existed prior to the entry of this order consolidating the cases for purposes of  
23 settlement.

24 4. The parties request that the Courts enter the order below. Notice of presentation is  
25 waived.

27 <sup>1</sup> Capitalized terms have the same meaning as in the Stipulation of Settlement.

1 Dated: October 22, 2007.  
2

3 BRAMSON, PLUTZIK, MAHLER  
4 & BIRKHAEUSER, LLP

5 By: /s/ Alan Plutzik (SBN 077785)

6 Thomas D. Mauriello (SBN 144811)  
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17 \* \* \*

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19 By: /s/Charles Marshall  
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24 By: /s/ Barry L. McCoy (pro hac vice)

25 *Counsel for Defendant Hewlett-Packard Company  
26 in Nos. 06-1221 (RS) and 06-2254 (RMW)*

1 [xxxxxxxxxxxx] ORDER  
2

3 IT IS SO ORDERED.  
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5 Dated 10/24, 2007.  
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7 /s/ Richard Seeborg  
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9 HON. RICHARD SEEBORG  
10 UNITED STATES MAGISTRATE JUDGE  
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14 HON. RONALD M. WHYTE  
15 UNITED STATES DISTRICT JUDGE  
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